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Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Afghanistan, Andorra, Armenia, Australia, Austria, Belgium, Benin, Brazil, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, India, Ireland, Italy, Japan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Mali, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Senegal, Slovakia, Slovenia, Spain, Sweden, Thailand, The former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

Promoting and consolidating democracy

The General Assembly,

Reaffirming the purposes and principles of the Charter of the United Nations and reaffirming also that everyone is entitled to all rights and freedoms without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, as set forth in the Universal Declaration of Human Rights,[1]

Taking note of Commission on Human Rights resolutions 1999/57 of 27 April 1999[2] and 2000/47 of 25 April 2000,[3]

Recognizing the indissoluble link between human rights as enshrined in the Universal Declaration of Human Rights and in the international human rights treaties and the foundation of any democratic society and reaffirming the Vienna Declaration and Programme of Action adopted by the World Conference on Human

[1] Resolution 217 A (III).
[2] See *Official Records of the Economic and Social Council, 1999, Supplement No. 3* (E/1999/23), chap. II, sect. A.
[3] See *Official Records of the Economic and Social Council, 2000, Supplement No. 3* (E/2000/23), chap. II, sect. A.

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Rights,[4] which states that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing,

Recalling that all peoples have the right of self-determination, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development,

Recalling also that, in the Vienna Declaration and Programme of Action, the World Conference on Human Rights recommended that priority should be given to national and international action to promote democracy, development and human rights and that the international community should support the strengthening and promoting of democracy, development and respect for human rights and fundamental freedoms in the entire world,

Recalling further its resolution 53/243 of 13 September 1999 containing the Declaration and Programme of Action for a Culture of Peace,

Recognizing and respecting the rich and diverse nature of the community of the world's democracies, which arise out of all of the world's social, cultural and religious beliefs and traditions,

Also recognizing that, while all democracies share common features, there is no one universal model of democracy,

Reaffirming its commitment to the process of democratization of States, and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Reaffirming also that good governance, as referred to in the United Nations Millennium Declaration,[5] is among the indispensable factors for building and strengthening peaceful, prosperous and democratic societies,

Aware of the crucial importance of the active involvement and contribution of civil society in processes of governance that affect the life of people,

Recalling commitments undertaken by Member States for the promotion of democracy and the rule of law, within the framework of the United Nations and other international organizations,

Welcoming measures such as resolution 1080 of the Organization of American States, decision 141/XXXV of the Organization of African Unity and the Moscow Document adopted in 1991 by the Conference on the Human Dimension of the Conference for Security and Cooperation in Europe, which commit Member States to take certain steps in the event of an interruption of democratic government, as well as the 1991 Harare Commonwealth Declaration,[6] which commits members to fundamental democratic principles,

Commending the wish of an increasing number of countries all over the world to devote their energy, means and political will to the building of democratic societies where individuals have the opportunity to shape their own destiny,

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[4] A/CONF.157/24 (Part I), chap. III.

[5] Resolution 55/2.

[6] A/46/708, annex.

Noting the initiatives taken by the countries that participated in the first, second and third International Conferences of New or Restored Democracies, held respectively in Manila in June 1988, in Managua in July 1994 and in Bucharest in September 1997,

Noting also the ministerial conference entitled "Towards a Community of Democracies", hosted by Poland, in Warsaw, on 26 and 27 June 2000,

Noting further that the Fourth International Conference of New or Restored Democracies is scheduled to be held in Cotonou, Benin, from 4 to 6 December 2000, the initiative of the Government of Mali to host, in Bamako, from 1 to 3 November 2000, following the Moncton Declaration adopted in September 1999 at Moncton, Canada, by the Eighth Summit of la Francophonie,[7] an international symposium at the ministerial level on the practices of democracy in the francophone areas,

1. *Calls upon* States to promote and consolidate democracy, inter alia, by:

(a) Promoting pluralism, the protection of all human rights and fundamental freedoms, maximizing the participation of individuals in decision-making and the development of effective public institutions, including an independent judiciary, accountable legislature and public service and an electoral system that ensures periodic, free and fair elections;

(b) Promoting, protecting and respecting all human rights, including the right to development, and fundamental freedoms, in particular:

(i) Freedom of thought, conscience, religion, belief, peaceful assembly and association, as well as freedom of expression, freedom of opinion, and free, independent and pluralistic media;

(ii) The rights of persons belonging to national, ethnic, religious or linguistic minorities, including the right to freely express, preserve and develop their identity without any discrimination and in full equality before the law;

(iii) The rights of indigenous people;

(iv) The rights of children, the elderly and persons with physical or mental disabilities;

(v) By actively promoting gender equality with the aim of achieving full equality between men and women;

(vi) By considering becoming parties to international human rights instruments;

(vii) By fulfilling their obligations under international human rights instruments to which they are parties;

(c) Strengthening the rule of law by:

(i) Ensuring equality before the law and equal protection under the law;

(ii) Ensuring the right to liberty and security of person, to equal access to justice, and to be brought promptly before a judge or other officer authorized by law to exercise judicial power in the case of detention, to avoid arbitrary arrest;

[7] A/54/453, annex I.

(iii) Guaranteeing the right to a fair trial;

(iv) Ensuring due process of law and the right to be presumed innocent until proven guilty in a court of law;

(v) Promoting the independence and integrity of the judiciary and, by means of appropriate education, selection, support and allocation of resources, strengthening its capacity to render justice with fairness and efficiency, free from improper or corrupt outside influence;

(vi) Guaranteeing that all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person;

(vii) Ensuring appropriate civil and administrative remedies and criminal sanctions for violations of human rights, as well as effective protection for human rights defenders;

(viii) Including human rights education in the training for civil servants, law enforcement and military personnel;

(ix) Ensuring that the military remains accountable to democratically elected civilian government;

(d) Developing, nurturing and maintaining an electoral system that provides for the free and fair expression of the people's will through genuine and periodic elections, in particular by:

(i) Guaranteeing that everyone can exercise his or her right to take part in the government of his or her country, directly or through freely chosen representatives;

(ii) Guaranteeing the right to vote freely and to be elected in a free and fair process at regular intervals, by universal and equal suffrage, open to multiple parties, conducted by secret ballot;

(iii) Taking measures, as appropriate, to address the representation of under-represented segments of society;

(iv) Ensuring, through legislation, institutions and mechanisms, the freedom to form democratic political parties that can participate in elections, as well as the transparency and fairness of the electoral process, including through appropriate access to funds and free, independent and pluralistic media;

(e) Creating and improving the legal framework and necessary mechanisms for enabling the wide participation of all members of civil society in the promotion and consolidation of democracy, by:

(i) Respecting the diversity of society by promoting associations, dialogue structures, mass media and their interaction as a means of strengthening and developing democracy;

(ii) Fostering, through education and other means, awareness and respect for democratic values;

(iii) Respecting the right to freedom of peaceful assembly and the exercise of the right to freely form, join and participate in non-governmental organizations or associations, including trade unions;

(iv) Guaranteeing mechanisms for the involvement and contribution of civil society in processes of governance and encouraging cooperation between local authorities and non-governmental organizations;

(v) Providing or improving the legal and administrative framework for non-governmental, community-based and other civil society organizations;

(vi) Promoting civic education and education on human rights, inter alia, in cooperation with organizations of civil society;

(f) Strengthening democracy through good governance by, inter alia:

(i) Improving the transparency of public institutions and policy-making procedures and enhancing the accountability of public officials;

(ii) Taking legal, administrative and political measures against corruption, including by disclosing and investigating and punishing all those involved in acts of corruption as well as by criminalizing payment of commissions and bribes to public officials;

(iii) Bringing government closer to the people by appropriate levels of devolution;

(iv) Promoting the widest possible public access to information about the activities of national and local authorities, as well as ensuring access by all to administrative remedies, without discrimination;

(v) Fostering high levels of competence, ethics and professionalism within the civil service, and its cooperation with the public, inter alia, by providing appropriate training for members of the civil service;

(g) Strengthening democracy by promoting sustainable development, in particular by:

(i) Taking effective measures aimed at the progressive realization of economic, social and cultural rights, such as the right to education and the right to a standard of living adequate for health and well-being, including food, clothing, housing and medical care and necessary social services, individually and through international cooperation;

(ii) Also taking effective measures aimed at overcoming social inequalities and eliminating poverty;

(iii) Promoting economic freedom and social development and pursuing active policies to provide opportunities for productive employment and sustainable livelihoods;

(iv) Ensuring equal access to economic opportunities and equal pay and other rewards for work of equal value;

(v) Creating a legal and regulatory framework with a view to promoting sustained economic growth and sustainable development;

(h) Enhancing social cohesion and solidarity by:

(i) Developing and strengthening institutional and educational capabilities, at the local and national levels, to resolve conflicts and disputes peacefully,

including through mediation, and to prevent and eliminate the use of violence in addressing societal tensions and disagreements;

(ii) Improving social protection systems and ensuring access for all to basic social services;

(iii) Encouraging social dialogue and tripartite cooperation with respect to labour relations among government, trade unions and employer organizations, as reflected in the International Labour Organization core Conventions;

2. *Requests* the Secretary-General to disseminate the present resolution on the widest possible basis.